

COMMUNITY AFFAIRS

THE COMMISSIONER

Standards of Conduct

Proposed Readoption: N.J.A.C. 5:1

Authorized By: Susan Bass Levin, Commissioner, Department of Community
Affairs.

Authority: N.J.S.A. 52:27D-3

Proposal Number: PRN 2004-274

Calendar: Reference: See Summary below for explanation of exception to calendar
requirement..

Submit written comments by September 17 , 2004 to:

Michael L. Ticktin, Esq.
Chief, Legislative Analysis
Department of Community Affairs
PO Box 802
Trenton, NJ 08625
Fax No. (609) 633-6729

SUSAN BASS LEVIN, Commissioner

The agency proposal follows.

Summary

Pursuant to N.J.S.A. 52:14B-5.1, N.J.A.C. 5:1, which sets forth rules concerning standards of conduct for officers and employees of the Department of Community Affairs, is scheduled to expire on July 19, 2005. These rules include subchapters concerning fair employment practices, conflict of interest and ethical standards, and political activities.

The Department of Community Affairs has reviewed these rules and finds that they continue to be necessary for the purpose for which they were promulgated and is therefore proposing that they be readopted without change.

As the Department has provided a 60-day comment period on this notice of proposal, this notice is excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

The rules included in this chapter have the socially beneficial effect of providing notice both to persons employed by the Department and to the general public of standards of conduct with which officers and employees of the Department are required to comply. The fact that the standards are made clear facilitates the taking of necessary action in the event of any violation.

Economic Impact

The purpose of these rules is to facilitate compliance with laws concerning fair employment practices, ethical standards and political activity. The rules themselves therefore have no particular economic impact.

Federal Standards Statement

No Federal standards analysis is required because these rules are not being proposed for readoption under the authority of, or in order to implement, comply with or participate in any program established under, Federal law or a State law that incorporates or refers to Federal law, standards or requirements. However, the rules do note that persons who are principally employed in connection with activities financed in whole or in part by Federal funds are subject to the Hatch Act, 5 U.S.C. sect. 118K, in addition to requirements imposed by State law.

Jobs Impact

The Department does not anticipate the creation or loss of any jobs as a result of the readoption of this chapter

Agricultural Industry Impact

The Department does not anticipate any impact upon the agricultural industry as a result of the readoption of this chapter.

Regulatory Flexibility Statement

These rules primarily affect persons employed by, or seeking to be employed by, the Department of Community Affairs. They do not have any effect upon “small businesses,” as defined in the New Jersey Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq.

Smart Growth Impact

The Department does not anticipate any impact upon “smart growth” or the implementation of the State Development and Redevelopment Plan as a result of the readoption of these rules.

Full text of the rules proposed for readoption may be found in the New Jersey Administrative Code at N.J.A.C. 5:1.